

EXHIBIT 10

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

RICHARD ROSARIO,

Plaintiff,

-against-

THE CITY OF NEW YORK, *et al.*,

Defendants.

18-cv-4023 (LGS)

DECLARATION OF CHRISTINA MATTHIAS

I, CHRISTINA MATTHIAS, an attorney admitted to practice in the State of New York, submit this declaration under penalty of perjury:

1. I am a senior associate at the firm Neufeld Scheck & Brustein, LLP, (“NSB”) with offices at 99 Hudson Street, 8th Floor, New York, New York 10013.
2. I make this declaration in support of an application for attorneys’ fees pursuant to 42 U.S.C. § 1988, covering the hours I expended on this matter. I am fully familiar with the facts discussed herein.

EDUCATION AND EXPERIENCE

3. I graduated from the University of Chicago Law School in 2015. After graduating, I worked as a fellow and staff attorney at the Neighborhood Defender Service of Harlem from 2015-2017. I then served as a law clerk to the Honorable Michael M. Baylson, United States District Judge for the Eastern District of Pennsylvania, from 2017-2018. After my clerkship, I worked as an associate at Hanglev Aronchick Segal Pudlin & Schiller from 2018-2021. My resume is attached as Exhibit A.
4. At NSB, I work almost exclusively on 42 U.S.C. § 1983 civil rights litigation in federal courts around the country. My practice focuses on wrongful conviction cases such as Richard Rosario’s, involving lawsuits against police, prosecutors and/or state and

municipal crime lab employees for unconstitutional misconduct. This body of law, arising at the intersection of criminal procedure and civil rights, is relatively new and constantly evolving. To my knowledge, NSB is the only firm in the nation litigating these issues full time.

5. Generally, all these cases involve procedural defenses such as absolute and qualified immunity and require a nuanced understanding of the differences between what it takes to vacate a criminal conviction and the elements of civil liability. In addition, the cases typically involve the same sets of claims, including for fabrication of evidence, *Brady*, and malicious prosecution, and involve similarly flawed inculpatory evidence, including misidentifications caused by suggestive identification procedures. My focus on these issues at NSB, as well as access to NSB's collective knowledge derived from litigating these cases for over twenty years, made my work on this case much more efficient than it otherwise would have been.
6. On behalf of Plaintiff, I am seeking compensation for my work at a rate of \$425 an hour. In my opinion, this requested rate is reasonable in light of the relevant market and my experience and skill.

WORK IN THIS CASE

7. I am seeking compensation, on behalf of Plaintiff, for the time I spent on this matter from June 2021 to July 2021.
8. Over the years of this litigation, my main responsibility in this case was drafting, revising, reviewing, finalizing and supervising the filing of motions in limine.
9. As set forth in the billing records attached as Exhibit B, which come from contemporaneously kept timekeeping logs, I am seeking compensation for a total of 39.2 attorney hours in this matter.
10. I have reviewed the attached billing record in its entirety, and made an effort to take a conservative and reasonable approach to the total hours for which I seek compensation. In my judgment, each hour set forth in Exhibit B was necessitated by the circumstances and

reasonably expended in pursuit of the ultimate favorable outcome in this complicated and important civil rights case.

11. I hereby declare under penalty of perjury that the foregoing is true.

Date: October 3, 2022

New York, NY



CHRISTINA MATTHIAS

EXHIBIT A

Christina Matthias



EDUCATION

The University of Chicago Law School, Chicago, IL
J.D., Graduated with Honors, June 2015

The University of Dublin Trinity College, Dublin, Ireland
M.Phil with Distinction in International Peace Studies, December 2011

- *Dissertation: The Preventive Potential of Primary Education: A Look at the Mitigating Effects of General and HIV/AIDS-Specific Education on the Spread of HIV in Kenya*

University of Pennsylvania, Philadelphia, PA
B.A. in History, *magna cum laude*, June 2010
• Academic All-American 2009, 2010, Academic All-Ivy 2010 (Women's Varsity Squash)

EXPERIENCE

Neufeld Scheck & Brustein, LLP, New York City, NY
Staff Attorney, April 2021-Present

- Represent individuals who have been wrongfully convicted in affirmative civil rights actions
- Train and mentor legal fellows (recent law school graduates) on litigation skills and strategy

Hangley Aronchick Segal Pudlin & Schiller, Philadelphia, PA
Associate, Litigation Department, October 2018-April 2021

- Represented Pennsylvania state and local governmental entities in challenges to election regulations and the results of the 2020 Presidential election in state and federal court
- Represented a *habeas* petitioner in opposition to appeal of the grant of his petition to the Third Circuit; represented a *habeas* petitioner on appeal to the Supreme Court of Pennsylvania

Philadelphia Bail Fund, Philadelphia, PA
Board Member, October 2018-Present; Board President as of August 2021

- Advance advocacy campaign to eliminate cash bail and pretrial punishment in Philadelphia
- Co-authored advocacy piece with Executive Director (Neal and Matthias, *Broken Promises: Larry Krasner and the Continuation of Pretrial Punishment in Philadelphia*, 16 Stan. J. C.R. & C.L. 543 (2021))

The Honorable Michael M. Bayson, United States District Court (E.D. Pa.), Philadelphia, PA
Law Clerk, September 2017-September 2018

- Conducted legal research, prepared bench memoranda and judicial opinions

The Neighborhood Defender Service of Harlem, New York City, NY
Fellow/Staff Attorney, Criminal Division, September 2015-August 2017

- Represented clients facing misdemeanor and/or felony charges in Manhattan Criminal Court from arraignment through disposition; typical caseload of approximately 80 clients
- Lead counsel on five bench trials; second seat on two bench trials and one jury trial

The University of Chicago Federal Criminal Justice Clinic, Chicago, IL
Clinic member, September 2013-June 2015

- Represented clients facing charges related to phony stash house robbery schemes initiated by the government; filed a motion to dismiss the indictments on selective prosecution grounds

EXHIBIT B

ALL HOURS

Date	Person	Client	Activity	Description	Duration	Time Totals
15-Jun-21	Christina Matthias	Rosario (Richard)	Filing	Meeting with Anna and Katie Haas re: plan for finalizing and filing MILs.	0:24	0.4
15-Jun-21	Christina Matthias	Rosario (Richard)	Filing	Review all applicable filing rules, create plan for finalization and filing of MILs, and format MIL drafts.	0:42	0.7
16-Jun-21	Christina Matthias	Rosario (Richard)	Filing	Review all applicable filing rules, create plan for finalization and filing of MILs, and format MIL drafts.	1:18	1.3
21-Jun-21	Christina Matthias	Rosario (Richard)	Filing	Review and track progress on MILs and format/revise MILs.	1:24	1.4
22-Jun-21	Christina Matthias	Rosario (Richard)	Filing	Review and revise filing checklist and communicate plan of action for finalizing MILs.	1:42	1.7
23-Jun-21	Christina Matthias	Rosario (Richard)	Filing	Review and track progress on MILs and format/revise MILs.	7:36	7.6
24-Jun-21	Christina Matthias	Rosario (Richard)	Filing	Review and track progress on MILs and format/revise MILs.	2:48	2.8
25-Jun-21	Christina Matthias	Rosario (Richard)	Meeting	Team meeting (Anna, Emma, Rhianna, Bianca, Katie) to discuss drafting responses to Defendants' MIL.	0:42	0.7
1-Jul-21	Christina Matthias	Rosario (Richard)	Draft	Draft Response to MIL.	4:54	4.9
2-Jul-21	Christina Matthias	Rosario (Richard)	Draft	Draft Response to MIL.	3:18	3.3
5-Jul-21	Christina Matthias	Rosario (Richard)	Draft	Draft and revise Responses to Defendants' MILs.	4:06	4.1
6-Jul-21	Christina Matthias	Rosario (Richard)	Draft	Draft and revise Responses to Defendants' MILs.	2:12	2.2
8-Jul-21	Christina Matthias	Rosario (Richard)	Draft	Draft and revise Responses to Defendants' MILs.	0:36	0.6
8-Jul-21	Christina Matthias	Rosario (Richard)	Draft	Draft and revise Responses to Defendants' MILs.	0:24	0.4
11-Jul-21	Christina Matthias	Rosario (Richard)	Draft	Revise and finalize Responses to Motions in Limine.	3:00	3
12-Jul-21	Christina Matthias	Rosario (Richard)	Draft	Revise and finalize Responses to Motions in Limine.	2:54	2.9
13-Jul-21	Christina Matthias	Rosario (Richard)	Draft	Revise and finalize Responses to Motions in Limine.	0:12	0.2
14-Jul-21	Christina Matthias	Rosario (Richard)	Draft	Revise and finalize Responses to Motions in Limine.	0:24	0.4
15-Jul-21	Christina Matthias	Rosario (Richard)	Filing	Address filing issues with MILs.	0:36	0.6

Total	39.2
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